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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

DUSA PHARMACEUTICALS, INC.,  
a New Jersey corporation; and  
QUEEN'S UNIVERSITY AT  
KINGSTON, a Canadian academic  
organization,

Plaintiffs,

v.

NEW ENGLAND COMPOUNDING  
PHARMACY, INC., a Massachusetts  
corporation,

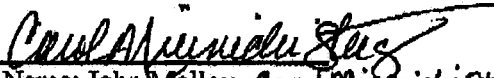
Defendant.

Civil Action No. 04-12703-NMG

LOCAL RULE 16.1(D)(3) CERTIFICATION

Pursuant to Local Rule 16.1(D)(3) of the United States Court for the District of  
Massachusetts, the Plaintiffs, DUSA Pharmaceuticals, Inc. and Queen's University at Kingston,  
and their counsel certify the following:

1. Plaintiffs and their counsel have conferred with a view towards establishing a budget for the costs of conducting the full course and various alternative courses of litigation; and
2. Plaintiffs and their counsel have considered the use of alternative dispute resolution programs to resolve the litigation.

<b>DUSA Pharmaceuticals, Inc.</b>  <hr/> Name: Scott Lundahl Title: Date:	<b>Queen's University at Kingston</b>   Name: <del>John Molloy</del> Carol Mielnicki Steeg Title: <del>President and CEO</del> VP, Intellectual Property Date: 29 June 2005
<b>Reed Smith, LLP</b>  <hr/> William J. McNichol, Jr. Maryellen Feehery Valerie Brand Reed Smith LLP 2500 One Liberty Place 1650 Market Street Philadelphia, PA 19103 Date:	

Respectfully submitted,

DUSA PHARMACEUTICALS, INC. AND  
 QUEEN'S UNIVERSITY AT KINGSTON,

By their attorney,

/s/ Mona M. Patel

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